

## COMMISSION DECISION

of 18 February 2008

**amending Decision 2006/766/EC as regards the list of third countries and territories from which imports of fishery products in any form for human consumption are permitted***(notified under document number C(2008) 555)***(Text with EEA relevance)**

(2008/156/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption <sup>(1)</sup>, and in particular Article 11(1) thereof,

Whereas:

- (1) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin. Article 11 of that Regulation provides for the establishment of lists of third countries and parts of third countries from which imports of specific products of animal origin are permitted, and sets out criteria to be taken into account in the establishment of such lists.
- (2) Commission Decision 2006/766/EC of 6 November 2006 establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted <sup>(2)</sup> lists those third countries which satisfy the criteria referred to in Article 11(4) of Regulation (EC) No 854/2004 and are therefore able to guarantee that those products exported to the Community meet the sanitary conditions laid down to protect the health of consumers.
- (3) Annex II of that Decision lists the third countries and territories from which imports of fishery products in any form for human consumption are permitted.
- (4) Armenia is currently listed in that Annex but only for imports of 'live non-farmed crayfish'. A Commission inspection carried out in that country in March 2007 showed that the relevant sanitary requirements for

heat-processed and frozen non-farmed crayfish are met. Therefore, the listing for Armenia should be extended to also include heat processed non-farmed crayfish and frozen non-farmed crayfish.

- (5) Montenegro, which is currently listed in Annex II to Decision 2006/766/EC but only for imports of 'whole fresh fish from wild seawater catches', has provided scientific information and submitted an additional application for the approval of imports of freshwater crayfish from that third country. The current limitation should therefore be deleted. Imports of fishery products should be authorised.
- (6) Bosnia and Herzegovina is currently not listed in Annex II to Decision 2006/766/EC. A Commission inspection to that country was carried out from 29 August to 2 September 2005. It has been proven that the competent authorities have provided all necessary guarantees to satisfy the relevant sanitary conditions. Bosnia and Herzegovina should therefore be included in the list of third countries from which Member States may authorise imports of fishery products.
- (7) Bulgaria and Romania are currently listed in Annex II to Decision 2006/766/EC. However, as the list refers only to third countries, the application of those entries ceased upon their accession to the European Union. The listings for those two Member States should therefore be deleted.
- (8) Annex I of that Decision lists the third countries from which imports of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form for human consumption are permitted. Footnote 6 of Annex II referring to Morocco concerns additional requirements for certain processed bivalve molluscs. For reasons of consistency, it is therefore appropriate to move those requirements to Annex I.
- (9) Decision 2006/766/EC should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 206, as corrected by OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

<sup>(2)</sup> OJ L 320, 18.11.2006, p. 53.

HAS ADOPTED THIS DECISION:

*Article 3*

This Decision is addressed to the Member States.

*Article 1*

Annexes I and II to Decision 2006/766/EC are replaced by the text in the Annex to this Decision.

Done at Brussels, 18 February 2008.

*Article 2*

This Decision shall apply from 1 March 2008.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

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## ANNEX

## 'ANNEX I

**List of third countries from which imports of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form for human consumption are permitted**

(Countries and territories referred to in Article 11 of Regulation (EC) No 854/2004)

ISO code	Countries	Remarks
AU	AUSTRALIA	
CL	CHILE	Only frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods
JM	JAMAICA	Only marine gastropods
JP	JAPAN	Only frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods
KR	SOUTH KOREA	Only frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods
MA	MOROCCO	Processed bivalve molluscs belonging to the species <i>Acanthocardia tuberculatum</i> must be accompanied by: (a) an additional health attestation in accordance with the model set out in Part B of Appendix V of Annex VI to Commission Regulation (EC) No 2074/2005 (OJ L 338, 22.12.2005, p. 27); and (b) the analytical results of the test demonstrating that the molluscs do not contain a paralytic shellfish poison (PSP) level detectable by the bioassay method.
NZ	NEW ZEALAND	
PE	PERU	Only frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods
TH	THAILAND	Only frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods
TN	TUNESIA	
TR	TURKEY	
UY	URUGUAY	
VN	VIETNAM	Only frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods

## ANNEX II

**List of third countries and territories from which imports of fishery products in any form for human consumption are permitted**

(Countries and territories referred to in Article 11 of Regulation (EC) No 854/2004)

ISO code	Countries	Remarks
AE	UNITED ARAB EMIRATES	
AG	ANTIGUA AND BARBUDA	Only live crustaceans
AL	ALBANIA	
AM	ARMENIA	Only live non-farmed crayfish, heat processed non-farmed crayfish and frozen non-farmed crayfish.
AN	NETHERLANDS ANTILLES	
AR	ARGENTINA	
AU	AUSTRALIA	
BA	BOSNIA and HERZEGOVINA	
BD	BANGLADESH	
BR	BRAZIL	
BS	THE BAHAMAS	
BY	BELARUS	
BZ	BELIZE	
CA	CANADA	
CH	SWITZERLAND	
CI	IVORY COAST	
CL	CHILE	
CN	CHINA	
CO	COLOMBIA	
CR	COSTA RICA	
CU	CUBA	
CV	CAPE VERDE	
DZ	ALGERIA	
EC	ECUADOR	
EG	EGYPT	
FK	FALKLAND ISLANDS	
GA	GABON	
GD	GRENADA	
GH	GHANA	
GL	GREENLAND	
GM	GAMBIA	

ISO code	Countries	Remarks
GN	GUINEA CONAKRY	Only fish that has not undergone any preparation or processing operation other than heading, gutting, chilling or freezing. The reduced frequency of physical checks, provided for by Commission Decision 94/360/EC (OJ L 158, 25.6.1994, p. 41), shall not be applied.
GT	GUATEMALA	
GY	GUYANA	
HK	HONG KONG	
HN	HONDURAS	
HR	CROATIA	
ID	INDONESIA	
IN	INDIA	
IR	IRAN	
JM	JAMAICA	
JP	JAPAN	
KE	KENYA	
KR	SOUTH KOREA	
KZ	KAZAKHSTAN	
LK	SRI LANKA	
MA	MOROCCO	
ME	MONTENEGRO	
MG	MADAGASCAR	
MR	MAURITANIA	
MU	MAURITIUS	
MV	MALDIVES	
MX	MEXICO	
MY	MALAYSIA	
MZ	MOZAMBIQUE	
NA	NAMIBIA	
NC	NEW CALEDONIA	
NG	NIGERIA	
NI	NICARAGUA	
NZ	NEW ZEALAND	
OM	OMAN	
PA	PANAMA	
PE	PERU	
PF	FRENCH POLYNESIA	
PG	PAPUA NEW GUINEA	

ISO code	Countries	Remarks
PH	PHILIPPINES	
PM	ST PIERRE & MIQUELON	
PK	PAKISTAN	
RS	SERBIA Not including Kosovo as defined by the United Nations security Council Resolution 1244 of 10 June 1999	Only whole fresh fish from wild seawater catches
RU	RUSSIA	
SA	SAUDI ARABIA	
SC	SEYCHELLES	
SG	SINGAPORE	
SN	SENEGAL	
SR	SURINAME	
SV	EL SALVADOR	
TH	THAILAND	
TN	TUNISIA	
TR	TURKEY	
TW	TAIWAN	
TZ	TANZANIA	
UA	UKRAINE	
UG	UGANDA	
US	UNITED STATES OF AMERICA	
UY	URUGUAY	
VE	VENEZUELA	
VN	VIETNAM	
YE	YEMEN	
YT	MAYOTTE	
ZA	SOUTH AFRICA	
ZW	ZIMBABWE	